



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,813	11/24/2003	Eliezer Krausz	P-5393-US	3466

49443 7590 06/23/2005
PEARL COHEN ZEDEK, LLP
10 ROCKEFELLER PLAZA
SUITE 1001
NEW YORK, NY 10020

EXAMINER

BOCHNA, DAVID

ART UNIT PAPER NUMBER

3679

DATE MAILED: 06/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/718,813

Applicant(s)

KRAUSZ ET AL.

Examiner

David E. Bochna

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 3/7/05 and the interview held on 6/16/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, it is unclear what exactly is being claimed in the preamble of claim 1 in relation to the preambles of claims 2-4 and 6-8. Preamble of claim 1 recites "In a pipe clamp or coupling...a flexible inner sleeve...comprising a reinforcing material". Which leads the Examiner to believe that the claimed invention is only drawn to the flexible inner sleeve. However, claims 2-4 and 6-8 include the preamble "the pipe clamp or coupling of claim 1", which tend to show that the invention is drawn to the clamp in combination with the flexible sleeve. Clarification is needed, along with a preamble that is consistent throughout all of the claims.

3. Claim 2 recites the limitation "said textile reinforcing material" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morris in view of Hauffe.

In regard to claim 1, Morris discloses in a pipe clamp 10 for pipe repair, the improvement being the provision of a reinforcing material 23a bonded to the flexible inner sleeve 18 or embedded therein to inhibit axial expansion thereof when the inner sleeve is under compression between the pipes and the clamping band. Morris teaches making the sleeve 18 out of elastomeric material that yieldably compresses to form a fluid tight seal, but does not disclose flexible sealing lips integral to the sleeve on its inner face. Hauffe teaches using flexible sealing lips (the two radial protruding bands on the interior of 24 seen in fig. 1) to help improve upon the sealing properties of the seal in the pipe repair clamp. Therefore it would have been obvious to a person having ordinary skill in the art to add internal flexible sealing lips to the sleeve of Morris, in order to increase the amount of yieldably compressing material at certain points along the sleeve in order to improve upon the fluid tight seal created by the sleeve.

In regard to claim 2, the textile reinforcing material is an aramide fiber (see col. 2, lines 14-51).

In regard to claim 3, the reinforcing material is embedded within the sleeve (see col. 3, lines 55-56).

In regard to claim 4, the reinforcing material is bonded within the sleeve (see col. 3, lines 10-11).

In regard to claim 6, the flexible inner sleeve carries an array of depressions 22 over its inner face.

In regard to claim 7, the flexible inner sleeve comprises a flat mat having a first end and a second end, the first end being attached to the band 23 and a second end being free to overlap the

Art Unit: 3679

inner surface of the mat retained in a cylindrical configuration when disposed inside the band (see fig. 2).

In regard to claim 8, the ends of the flexible inner sleeve are tapered 32 in a peripheral direction.

Response to Arguments


6. Applicant's arguments with respect to claims 1-4 and 6-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David E. Bochna
Primary Examiner
Art Unit 3679